

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TRUSTEES OF ROOFERS LOCAL 149,
et al.,

Plaintiffs,

Case No. 12-10048

vs.

HON. GEORGE CARAM STEEH

J.D. CANDLER ROOFING CO.,
et al.,

Defendants.

_____ /

ORDER GRANTING PLAINTIFF'S MOTION
FOR RECONSIDERATION AND AMENDING SCHEDULING ORDER [DOC. 17]

This matter previously came before the court on plaintiffs' motion to extend discovery. On May 21, 2012, the court denied plaintiffs' motion before plaintiffs had an adequate opportunity to file a reply brief. On May 30, 2012, plaintiffs filed this motion for reconsideration, further explaining why they needed more time to conduct discovery in this case.

Local Rule 7.1(g)(3) of the Local Rules of the United States District Court for the Eastern District of Michigan provides:

[M]otions for rehearing or reconsideration which merely present the same issues ruled upon by the court, either expressly or by reasonable implication, shall not be granted. The movant shall not only demonstrate a palpable defect by which the court and the parties have been misled but also show that a different disposition of the case must result from a correction thereof.

In their motion for reconsideration, plaintiffs describe deposition testimony supporting their theory that safety monitors did covered work as much as 20% of the

time they worked for the corporate defendant. Plaintiffs seek more time in order to take the depositions of 18 former employees of defendant who did not show up for their depositions as noticed by defendant, as well as newly identified employees who were listed in the job cost records used by defense counsel at the depositions of their current employees.

The detailed description of deposition testimony, with attached deposition transcripts, supports plaintiffs' argument that further discovery will be valuable in determining how many safety monitors did covered work. Now, therefore,

IT IS HEREBY ORDERED that plaintiffs' motion for reconsideration is GRANTED.

IT IS HEREBY FURTHER ORDERED that the scheduling order is AMENDED as follows:

Discovery cutoff: August 15, 2012

Dispositive motion cutoff: September 17, 2012

Final Pretrial Order: January 15, 2013

Final Pretrial Conference: January 22, 2013 at 10:00 a.m.

Bench Trial: January 29, 2013 at 9:00 a.m.

IT IS SO ORDERED.

Dated: June 5, 2012

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on June 5, 2012, by electronic and/or ordinary mail.

s/Marcia Beauchemin
Deputy Clerk